

REMARKS

There are seven (7) claims pending in this application. The Office Action dated April 6, 2007, required election to one of three groups as defined by the Examiner, namely:

Group I, claims 6-8, drawn to a calibration management control program;
Group II, claims 1-5, drawn to configuring a user interface; and
Group III, claims 9-16, drawn to looking up in a reference database, the reference identification address being held by the second identification attribute, and associated with the specific calibration function.

Unity of invention was found during the international phase of this application.

In response, Applicants have provisionally elected Group I and withdrawn the unelected claims 1-5 and 9-17. Applicants have added to Group I new dependent claims 18 to 21.

I. Provisional Election.

Applicant hereby provisionally elects to prosecute the invention of **Group I, including claims 6-8 and 18-21** for examination on the merits. This election is made with traverse.

II. Unity Exists Between Group I, Group II, and Group III

Respectfully, Applicant notes that the Examiner has used US restriction practice guidelines instead of international unity of invention analysis. As noted in MPEP 1893.03(d),

Examiners are reminded that unity of invention (not restriction) practice is applicable in . . . national stage applications submitted under 35 U.S.C. 371. . . .

When making a lack of unity requirement, the examiner must . . . explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) specifically describing the unique

special technical feature in each group. . . .

A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. The expression special technical features is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the prior art. For example, a corresponding technical feature is exemplified by a key defined by certain claimed structural characteristics which correspond to the claimed features of a lock to be used with the claimed key. . . .

. . . .

An apparatus or means is specifically designed for carrying out the process when the apparatus or means is suitable for carrying out the process with the technical relationship being present between the claimed apparatus or means and the claimed process. The expression specifically designed does not imply that the apparatus or means could not be used for carrying out another process, nor does it imply that the process could not be carried out using an alternative apparatus or means.

In Group I the special technical feature is the use of unique identifiers. This same special technical feature is found in Group I (“permanent unique identifier” and “dynamic unique identifier”) and Group III (“unique record identification address”). Accordingly, Applicants respectfully request that the election requirement be withdrawn.

III. New Dependent Claims 18-21

Applicants have added new dependent claims 18-21. These are all dependent on the elected independent claim, and are appropriately part of Group I.

Support for new dependent claim 18 (“where the application program interface is a user interface”) is found in the Specification, p. 5, l. 11; p. 6, l. 24, 28; p. 29, ll. 28-34; p. 37, ll. 12-13; p. 39, l. 8; and Abstract.

IV. Conclusion

The Examiner has not made a *prima facie* case that there is lack of unity of invention. Furthermore, a combined search and examination for all three Groups would not impose a serious burden on the Examiner, particularly given the previous International Search which did not find lack of unity of invention.

Withdrawal of the election requirement is hereby respectfully requested.

If there are any issues regarding the present application which can be addressed by telephone, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge any fees due in connection with this communication or credit any overpayment to Deposit Account No. 19-2090.

Respectfully submitted,
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& ANDERSON PC

Date: May 4, 2007

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